

**Congress of the United States**  
**Washington, DC 20515**

September 18, 2017

The Honorable Ajit V. Pai  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

767  
**COPY**

Dear Chairman Pai,

We write to express a range of concerns regarding the current status of cable broadcasting in western Massachusetts, specifically in Berkshire County. Given the county's equidistant positioning between Springfield, MA and Albany, NY; the region is subject to a number of conflicts in accessibility to both local news and content being broadcast by competing media outlets. Currently an estimated 30,000 Charter Spectrum Cable subscribers in Berkshire County over the past year have seen a negative change in their channel availability and content accessibility.

For decades, the residents of Massachusetts' westernmost county have received local news and subject matter from cable affiliates based in both Springfield, MA and Boston. However, due to the recent adjustments made by Charter Spectrum, a majority of the content being broadcast to these Charter subscribers is coming from Albany, NY based stations. One specific example of this is in regard to the Springfield based NBC affiliate WWLP-22. WWLP for decades has been a source of both news and cable programming to Berkshire County. WWLP is also currently the only station in the western Massachusetts television media market that has a news bureau based in Berkshire County and conducts daily broadcasts with a reporter on scene. Unfortunately, due to this latest change in channel availability by Charter, the residents of Berkshires are now unable to view news broadcasts with local content from channels like WWLP and are left only with the option to view a news broadcast from Albany that contains little to no content pertaining to Massachusetts news.

It should also be noted that WWLP is the only television station in western Massachusetts that has a full-time reporter dispatched to the Massachusetts State House covering all legislation and policy matters for the Commonwealth. Instead, the Albany based stations provide coverage of pending legislation and initiatives from the Albany statehouse that would only be relevant to residents of New York State. The fact that there are residents of Massachusetts that are more connected with a neighboring state capitol than their own should be enough evidence that this is an issue that merits attention and rectification. Furthermore, local television news broadcasts are where individuals turn to for emergency alerts related to severe weather and snow/ice related closures during the winter months.

In conjunction with the morning and evening local daily news broadcasts, WWLP also provides weekly religious content in the format of a 30-minute Roman Catholic Mass. This service provided is the only outlet for elderly and home bound individuals to partake in Catholic observance that otherwise are unable to physically travel to a local church.

This conflict is not limited to just news and religious content aired on NBC. The ABC, FOX and CBS affiliates based in New York are the stations being seen on the tens of thousands of television sets in Berkshire County. This impediment in channel access has cut off the residents of western Massachusetts to subject matter pertinent to the state in which they live.

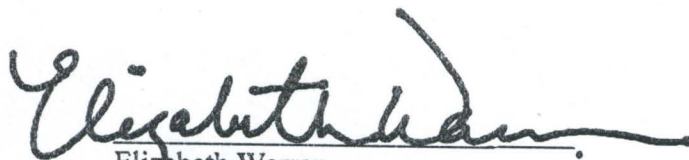
Another example where a conflict in content availability has and will continue to occur is in regard to sporting events being broadcast on basic cable television channels. As you might be aware, the National Football League kicked off the 2017 regular season last week with the reigning World Champion New England Patriots playing on a nationally televised Thursday night game. Aside from this instance and a select few games throughout the season, the Patriots can typically be seen in New England on Sunday afternoons on either CBS or FOX; that is unless you are watching in Berkshire County where viewers may only have access to New York based stations airing conflicting Bills, Giants or Jets game broadcasts instead. This is yet another example added to the growing list of instances where our constituents are facing regional disenfranchisement by being subject to (and paying for) content that is of little or no interest to them.

We ask you and members of the Commission to please comprehensively examine this situation so that this issue might be resolved in a timely manner. Berkshire County's cable television consumers' inability to access local news and content in the 21<sup>st</sup> century is unacceptable and must be addressed by both the FCC and Charter Spectrum. We look forward to hearing from you on this important matter and please do not hesitate to reach out to any of our offices should you require any additional information regarding this issue.

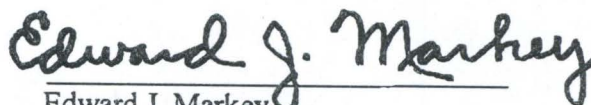
Sincerely,



Richard E. Neal  
Member of Congress



Elizabeth Warren  
United States Senator



Edward J. Markey  
United States Senator



Congressman Richard E. Neal  
341 Cannon House Office Building  
Washington, DC 20515  
Telephone # (202) 225-6601  
Fax (202) 225-8112

**FAX COVER SHEET**

Date: Sept 19<sup>th</sup> 2017  
To: FCC Attn: T. Strachan  
Fax Number: (202) 418-2806  
From: \_\_\_\_\_

<input checked="" type="checkbox"/> Congressman Richard Neal	<input type="checkbox"/> Billy Traghese
<input type="checkbox"/> Brandon Casey	<input type="checkbox"/> Elizabeth O'Hara
<input type="checkbox"/> Tim Ranstrom	<input checked="" type="checkbox"/> Patrick O'Connor
<input type="checkbox"/> Zach Dupont	<input type="checkbox"/> _____

Number of Pages: 2 plus cover

Message:

*Thank you -*  
*R. Neal*

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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

February 8, 2018

The Honorable Elizabeth Warren  
United States Senate  
317 Hart Senate Office Building  
Washington, D.C. 20510

Dear Senator Warren:

Thank you for your letter expressing concern about the inability of Charter subscribers in Berkshire County to receive the signals of Massachusetts-based broadcast stations, including WWLP.

The importance of these stations to residents of Berkshire County is clear from your letter. Charter is not currently required to carry WWLP or other Massachusetts broadcasters because Berkshire County is assigned to the Albany-Schenectady-Troy Designated Market Area (DMA) by The Nielsen Company.

However, as you may know, recent changes to the market modification process directed the Commission to consider the availability of in-state broadcast stations in the context of a petition to modify a station or stations' local market. In the cable context, these petitions must be filed by the stations (or cable operators) themselves. If a station's local market is modified, it has the option to elect "must carry" with respect to cable operators in the expanded market, ensuring that it will be made available to all subscribers. Market modification proceedings are fact-intensive, and I could not speak to how a hypothetical petition would be resolved. I can assure you, however, that Commission staff would work closely with WWLP, or any other Massachusetts broadcast station seeking to modify its market to better serve communities in Berkshire County. Any petitions these stations file would be handled expeditiously by Commission staff.

I appreciate your interest in this matter. Please let me know if I can be of further assistance.

Sincerely,

Ajit V. Pai



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WASHINGTON

OFFICE OF  
THE CHAIRMAN

February 8, 2018

The Honorable Richard E. Neal  
U.S. House of Representatives  
341 Cannon House Office Building  
Washington, D.C. 20515

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February 8, 2018

The Honorable Edward J. Markey  
United States Senate  
255 Dirksen Senate Office Building  
Washington, D.C. 20510

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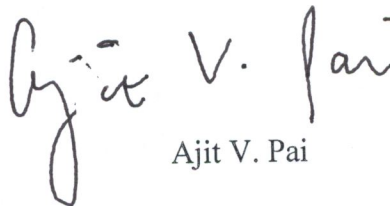
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